

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
LEONARD GRUNSTEIN, et al.,

Plaintiff,

-against-

RONALD E. SILVA, et al.,

Defendant.
----- X

Index No. 07 Civ 3712
(RMB) (RLE)

***PLAINTIFFS'
DESIGNATION OF
AUTHORIZED PARTIES
TO REVIEW
CONFIDENTIAL OR
HIGHLY CONFIDENTIAL
MATERIALS***

Pursuant to the Stipulation and Order entered on December 17, 2007, Plaintiffs hereby make the following designation of Highly Coincidental Documents and Information as well as Designated Parties to whom same may not be disclosed:

1. Documents produced by Capital Funding bearing Bates Number CFG003365 through CFG046899 are designated as "Highly Confidential" Documents and Information;
2. The following persons are each designated as a Designated Party to whom the aforesaid Highly Confidential Documents and Information may not be disclosed to and include all owners, agents, employees, officers and directors thereof:
 - a. Ronald E. Silva;
 - b. Brandon Ribar;
 - c. Leonard Grunstein;

- d. Troutman Sanders and its attorneys;
- e. Joseph Heil and all Dechert attorneys other than:
 - i. Joseph F. Donley;
 - ii. Joseph Escher;
 - iii. Eric Kirsch; and
 - iv. Christopher Burdett.
- f. Pearl Senior Care, LLC;
- g. PSC Sub, LLC;
- h. Geary Property Holdings, LLC;
- i. Fillmore Capital Partners, LLC;
- j. Fillmore Strategic Investors;
- k. Drumm Investors, LLC;
- l. Fillmore Strategic Managements, LLC; and
- m. All other Persons not identified below as “Authorized Persons” with respect to such Highly Confidential Documents and Information.

2. “Authorized Party” shall be limited to the following Persons:

- a. Counsel for one or more of the parties in the Lawsuits actually representing the parties in the Lawsuit and actually handling litigation of the Lawsuits, other than in house counsel for any party, and employees, agents and investigators of such counsel necessary to assist such counsel in handling the litigation of the Lawsuits

provided that they are served with a copy of the Stipulation and Order and agree, in writing, to be bound by its terms;

- b. Jack Dwyer and Capital Funding and its employees;
- c. Nonparty experts or consultants retained in good faith to assist such counsel with respect to the Action provided that they are served with a copy of the Stipulation and Order and agree, in writing, to be bound by its terms;
- d. Court reporters, stenographers, or video operators at depositions, court or arbitral proceedings at which Confidential Information is disclosed provided that they are served with a copy of the Stipulation and Order; and;
- e. The Court, its personnel and any other person designated by the Court, upon such terms as the Court may deem proper.

Dated: New York, N.Y.

January 11, 2008

By _____/s/_____

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